

Lexington, Kentucky June 8, 2006

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on June 8, 2006 at 7:00 P.M. Present were Mayor Teresa Ann Isaac in the chair presiding and the following members of the Council: Council Members Cegelka, Ellinger, Farmer, Gorton, Lane, McChord, Moloney, Myers, Scanlon, Shafer, Stevens, Stinnett and Brown. Absent were Council Members DeCamp and Wigginton.

The reading of the Minutes of the previous meetings was waived.

Ordinances No. 109-2006 thru 135-2006 inclusive and Resolutions No. 251-2006 thru 279-2006 inclusive were reported as having been signed and published, and were ordered to record.

Lexington, Kentucky June 8, 2006

The Invocation was given by Rabbi Marc Kline, Temple Adath Israel.

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The following ordinances were given second reading and passed by the following vote:

Aye: Cegelka, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stevens, Stinnett, Brown ----- 13

Nay: ----- 0

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 215.

An Ordinance authorizing the Mayor to accept a donation of \$1,500.00 from United Way of the Bluegrass, for the Gainesway Community Empowerment Center to purchase supplies for the Back to School Rally, and appropriating funds pursuant to Schedule No. 211.

An Ordinance amending Section 22-5 of the Code of Ordinances creating three (3) positions of Recreation Supervisor, Grade 110E, fifteen (15) positions of Program Assistant P/T, Grade 000N, and one (1) position of Program Supervisor P/T, in the Div. of Parks, and appropriating funds pursuant to Schedule No. 212.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Administrative Officer, Grade 118E, and creating one (1) position of Planner, Grade 113E, to be effective upon the date of its passage; abolishing two (2) positions of Staff Assistant Sr., Grade 108N, and creating two (2) positions of Administrative Specialist, Grade 110N, and reclassifying the incumbents, to be effective retroactive to February 20, 2006; abolishing one (1) position of Program Specialist, Grade 112E, and creating one (1) position of Planner Sr., Grade 117E, and reclassifying the incumbent, to be effective retroactive to February 20, 2006; amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Planner, Grade 113E, and creating one (1) position of Planner Sr., Grade 117E, and reclassifying the incumbent, to be effective retroactive to April 24, 2006; all in the Div. of Planning, and appropriating funds pursuant to Schedule No. 213.

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An Ordinance amending certain of the budgets of the Lexington-Fayette Urban

County Government to reflect current requirements for funds in the amount of \$5,700.00 in the Dept. of Public Safety from the Council Capital Funds for the purchase of animal control cameras, and appropriating and re-appropriating funds, Schedule No. 219 was on the docket for second reading.

Mr. Myers made a motion, seconded by Mr. McChord and passed by unanimous vote, to amend the ordinance by amending Budget Schedule No. 219, which was attached to and incorporated in the ordinance, to correct the account number.

Mr. Myers stated that this was not a material change and the ordinance could be given second reading as amended.

The ordinance was given second reading as amended and passed by the following vote:

Aye: Cegelka, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stevens, Stinnett, Brown ----- 13
Nay: ----- 0

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The following ordinances were given first reading. Upon motion of Mr. Lane and seconded by Dr. Stevens, the rules were suspended by unanimous vote. The ordinances were given second reading and passed by the following vote:

Aye: Cegelka, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stevens, Stinnett, Brown ----- 13
Nay: ----- 0

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Single Family Residential (R-1B) zone for 26.09 gross acres located at 1300-1365 Cooper Drive and 1310-1348 Prather Road (even addresses only). (Urban County Planning Commission (AMD))

An Ordinance amending the text and map portion of Ordinance No. 83-80, the Richmond Road Traffic Safety and Movement Plan Phase II, to identify an additional right turn-in/right turn-out access point on property formerly known as the Estes Property and amending the schematic landscape plan portion of Ordinance No. 213-83, the Richmond Road Landscape Ordinance, to provide that landscaping on the properties at 3200, 3270, 3292, 3294 and 3310 Richmond Road shall be provided in accordance with Article 18 of the Zoning Ordinance, Landscape and Land Use Buffers,

instead of the provisions of Ordinance No. 213-83.

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An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone with conditions to Planned Neighborhood Residential (R-3) zone with modified conditions for 154.89 net (163.89 gross) acres, for properties located at 2851, 2855 and 2871 Georgetown Road, 2825 Georgetown Road, 2600, 2601, 2605 and 2609 Kearney Ridge Boulevard, 2793, 2797 and 2801 Sullivan's Trace, and 2501 Spurr Road, subject to a certain property dedication restriction imposed as a condition of granting the zone change (Barlow Homes, LLC) was given first reading.

Upon motion of Mr. Farmer and seconded by Dr. Stevens, the rules were suspended by unanimous vote. The ordinance was given second reading and passed by the following vote:

Aye: Cegelka, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stevens, Stinnett, Brown ----- 13

Nay: ----- 0

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An Ordinance amending Section 9 of Ordinance No. 330-2001 as amended by Ordinance No. 272-2004, extending the payment and benefits provided for activated employees of the U. S. Armed Forces Reserves or National Guard until they are released from active duty or until January 1, 2008, whichever shall first occur was given first reading.

Upon motion of Ms. Gorton and seconded by Mr. Farmer, the rules were suspended by unanimous vote. The ordinance was given second reading and passed by the following vote:

Aye: Cegelka, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stevens, Stinnett, Brown ----- 13

Nay: ----- 0

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An Ordinance amending Article 8-1(b) of the Zoning Ordinance so as to allow churches and Sunday schools larger than the current 10,000 square foot maximum as a principal use in the Agricultural Rural (A-R) zone, provided that the property is located with frontage on a four-lane highway and has access to sanitary sewer, requiring a minimum twenty-five percent open space and a minimum fifty foot building setback, and establishing a minimum fifty foot set back, screening and landscape requirements for all

parking areas was given first reading and ordered placed on file until July 6, 2006 for a public hearing.

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An Ordinance changing the zone from an Agricultural Urban (A-U) zone to an Expansion Area Residential 2 (EAR-2) zone for 8.63 net (8.96 gross) acres and from an Agricultural Rural (A-R) zone to an Expansion Area Residential 2 (EAR-2) zone for 59.72 net (61.76 gross) acres of property located at 2020 and 2200 Russell Cave Road, subject to certain use and buffer restrictions imposed as conditions of granting the zone change (Middleburg Stables) was given first reading and ordered placed on file until July 11, 2006 for a public hearing.

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The following ordinances were given first reading and ordered placed on file two weeks for public inspection.

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for 13.87 net (14.16 gross) acres of property located at 2401 Sandersville Road. (Ball Homes, LLC)

An Ordinance changing the zone from a Professional Office (P-1) zone to a Planned Shopping Center (B-6P) zone for 1.95 net (2.31 gross) acres of property located at 1937 Star Shoot Parkway. (Fourth Quarter Properties VII (AMD))

An Ordinance changing the zone from a Light Industrial (I-1) zone to a Planned Neighborhood Residential (R-3) zone for 0.0283 net (0.0361 gross) acre of property located at 533 Merino Street. (Faith Community Housing Foundation, Inc.)

An Ordinance amending Article 17-4(b) of the Zoning Ordinances to grant the Div. of Code Enforcement authority to enforce Article 17-4(g) and 17-4(j) of the Zoning Ordinance, which prohibit signs on trees, utility poles or other structures and within sight triangles and street rights-of-way.

An Ordinance accepting the bid of Mountain International Trucks in the amount of \$86,520.00, for hook lift loader truck, for the Div. of Fleet Services and appropriating funds pursuant to Schedule No. 253.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Administrative Specialist, Grade 110N, and creating one (1) position of Administrative Specialist Sr., Grade 112N, and reclassifying the incumbent, in the Div.

of Youth Services, and pursuant to Ordinance No. 197-2002 adjusting the salaries of one employee occupying the positions of Administrative Specialist Sr. in the Dept. of Law and one employee occupying the position of Administrative Specialist Sr. in the Div. of Sanitary Sewers, all effective to May 1, 2006, and appropriating funds pursuant to Schedule No. 218.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Administrative Specialist, Grade 110N, and creating one (1) position of Police Analyst, Grade 111N, and reclassifying the incumbent, within the Div. of Police, to be effective retroactive to May 1, 2006, and appropriating funds pursuant to Schedule No. 220.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Public Service Worker, Grade 106N, and creating one (1) position of Equipment Operator Sr., Grade 109N, and reclassifying the incumbent, effective retroactive to January 11, 2006, abolishing one (1) position of Public Service Worker, Grade 106N, and creating one (1) position of Equipment Operator Sr., Grade 109N, and reclassifying the incumbent, to be effective retroactive to January 11, 2006, all within the Div. of Solid Waste, and appropriating funds pursuant to Schedule No. 221.

An Ordinance adopted pursuant to KRS 39F authorizing the formal Affiliation of the Div. of Fire and Emergency Services' Special Operations Technical Rescue Team, as the Urban County Government's designated rescue squad, with the Div. of Environmental and Emergency Management as the local disaster and emergency services organization, adopting the Statement of Affiliation, and authorizing the Mayor to execute the Statement of Affiliation, at no cost to the Urban County Government.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$750 from Neighborhood Development funds for Aging Services printing of the Pathways 2006 Booklet, and appropriating and reappropriating funds, Schedule No. 222.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Council Office for funds in the amount of \$1,050 from Neighborhood Development funds for the Sr. Intern Program, and appropriating and reappropriating funds, Schedule No. 238.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Council Office for funds in the amount of \$5,000.00 in the Div. of Traffic Engineering from the Council Capital funds for traffic calming devices in the Sixth Council District, and appropriating and reappropriating funds, Schedule No. 223.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$2,190.00 in the Div. of Parks from the Council Capital funds for improvements to the concession stands and t-ball field fencing at Mary Todd Park, and appropriating and reappropriating funds, Schedule No. 224.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$10,900.00 in the Div. of Traffic Engineering from the Council Capital funds for solar school flasher on Brynell Drive near Deep Springs Elementary, and appropriating and reappropriating funds, Schedule No. 225.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$900.00 in the Div. of Traffic Engineering from the Council Capital funds for speed hump installation on Northwood Drive, and appropriating and reappropriating funds, Schedule No. 226.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$50,000.00 in the Div. of Traffic Engineering from the Council Capital funds for traffic calming devices at Lansdowne and Zandale Drive and other locations in the Fourth Council District, and appropriating and reappropriating funds, Schedule No. 227.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$16,000.00 in the Div. of Parks from the Council Capital funds for sidewalks in Zandale Park, and appropriating and reappropriating funds, Schedule No. 228.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$5,850.00

in the Div. of Parks from the Council Capital funds for park improvements in the Fourth Council District, and appropriating and reappropriating funds, Schedule No. 229.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$12,000.00 in the Div. of Streets, Roads and Forestry from the Council Capital funds to shoulder Laclede Avenue, and appropriating and reappropriating funds, Schedule No. 230.

An Ordinance authorizing the Mayor to execute Change Order No. 2 to the Contract with LDV, Inc., for a mobile communications command post vehicle for the Div. of Fire, increasing the contract price by the sum of \$17,155.00 from \$282,144.00 to \$299,299.00, and appropriating funds pursuant to Schedule No. 217.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$8,000.00 in the Div. of Code Enforcement from the Neighborhood Development funds for sidewalk repair and replacement match grant fund for property owners in the Fourth Council District, and appropriating and reappropriating funds, Schedule No. 240.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$650.00 from Neighborhood Development funds in the Div. of Historic Preservation for Historic Preservation Week, and appropriating and reappropriating funds, Schedule No. 241.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$10,000.00 in the Div. of Traffic Engineering from the Council Capital funds for traffic calming devices in the Eleventh Council District, and appropriating and reappropriating funds, Schedule No. 243.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$43,275.00 in the Div. of Parks from the Council Capital funds for improvements to Gainesway Community Park, and appropriating and reappropriating funds, Schedule No. 244.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban

County Government to reflect current requirements for funds in the amount of \$5,000.00 for the Airport Board from the Council Capital funds for landscape improvements to the airport entrance, and appropriating and reappropriating funds, Schedule No. 245.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$6,950.00 in the Div. of Streets, Roads and Forestry from the Council Capital funds for repaving of Cochran Road from Chinoe Road to Culpepper Road, and appropriating and reappropriating funds, Schedule No. 246.

An Ordinance amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Administrative Specialist, Grade 110N, and creating one (1) position of Administrative Specialist Sr. Grade 112N, and reclassifying the incumbent, in the Dept. of Public Works, effective retroactive to March 20, 2006, and appropriating funds pursuant to Schedule No. 237.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Heritage Land Conservation Fund Board, which grant funds are in the amount of \$341,500.00 Commonwealth of Ky. funds, are for the purchase of the Evans Homestead as an addition to the Raven Run Nature Sanctuary, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 232, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Commonwealth of Ky. State Police Highway Safety Program, which grant funds are in the amount of \$15,000.00 Federal funds, are for participation in the May mobilizations of the “Buckle Up in Your Truck” and “Buckle Up Kentucky It’s the Law and Its Enforced” campaigns, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 233, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$320,000.00 Federal funds from the Congestion Management/Air Quality Program, are for the Fiber Optic Cable Installation Program, the acceptance of which obligates the Urban County

Government for the expenditure of \$80,000.00 as a local match, appropriating funds pursuant to Schedule No. 234, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Bluegrass Area Development District, which grant funds are in the amount of \$229,954.26 Federal funds, are for the Workforce Investment Act (WIA) Program for FY 2007, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2007 Schedule No. 18, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a donation of \$800.00 from the Partners for Youth Foundation, Inc., for use by the Charles Young Dancers, and appropriating funds pursuant to Schedule No. 231.

An Ordinance authorizing the Mayor to execute an Agreement with the Lexington-Fayette Urban County Housing Authority, for the removal and cleanup of site contamination at 697 Georgetown Street and to provide clear titles for non-profits to purchase lots for single family affordable housing, at a cost not to exceed \$40,000.00, and appropriating funds pursuant to Schedule No. 235.

An Ordinance authorizing the Mayor to execute an Engineering Services Agreement with American Consulting Engineers, for a design for the elimination and abandonment of the Coleman House, Fayette County Extension Office and Meadowthorpe Pump Stations Project, at a cost not to exceed \$31,895.00, and appropriating funds pursuant to Schedule No. 236.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 216.

An Ordinance authorizing the Mayor to accept a donation of \$5,000.00 from Kroger and Milkbone, to purchase a police canine, and appropriating funds pursuant to Schedule No. 250.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$400,000.00 Federal funds, are for the Reversible Lane Project for Nicholasville Road, the acceptance of

which obligates the Urban County Government for the expenditure of \$100,000.00 as a local match, appropriating funds pursuant to Schedule No. 247, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$64,000.00 Federal funds, are for the Safe Routes to School pilot program, the acceptance of which obligates the Urban County Government for the expenditure of \$16,000.00 as a local match, appropriating funds pursuant to Schedule No. 248, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute and submit a Grant Application to the Ky. Dept. of Agriculture, to provide any additional information requested in connection with this grant application, and to accept this grant if the application is approved, which grant funds are in the amount of \$9,140.00 Commonwealth of Ky. funds, are for the Animal Disposal Cost Share Program for FY 2007, the acceptance of which obligates the Urban County Government for the expenditure of \$9,140.00 as a local match, appropriating funds pursuant to FY 2007 Schedule No. 19, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance pursuant to Ordinance No. 197-2002 adjusting the salaries of various employees occupying the positions of equipment operator and building inspector, in various divisions, after review pursuant to the Pay Equity Ordinance, effective retroactive to the date described in each item; and appropriating funds pursuant to Schedule No. 251.

An Ordinance pursuant to Ordinance No. 197-2002 adjusting the salaries of various employees occupying the positions of equipment operator senior, police analyst and recreation supervisor in various divisions, after review pursuant to the Pay Equity Ordinance, effective retroactive to January 23, 2006 and appropriating funds pursuant to Schedule No. 252.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Director of Corporate Counsel, Grade 123E, and creating one (1) position of Deputy Commissioner of Law, Grade 124E, and reclassifying the incumbent, in the Dept. of Law, effective retroactive to January 24, 2005, and appropriating funds

pursuant to Schedule No. 239.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing three (3) positions of Assistant Operations Supervisor Sr., Grade 114E, and creating two (2) positions of Fleet Operations Supervisor, Grade 115E, and one (1) position of Fleet Systems Manager, Grade 116E, and reclassifying the incumbents; abolishing one (1) position of Assistant Operations Supervisor, Grade 113N, and creating one (1) position of Fleet Operations Supervisor, Grade 115E, and reclassifying the incumbent; and abolishing two (2) positions of Fleet Operations Supervisor, Grade 115E, and creating two (2) positions of Fleet Operations Manager, Grade 116E, and reclassifying the incumbents, all in the Div. of Fleet Services, to become effective retroactive to March 20, 2006, and appropriating funds pursuant to Schedule No. 249.

An Ordinance amending Section 21-37.2 of the Code of Ordinances replacing the Sick Leave Bank Program with a Sick Leave Transfer Program.

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An Ordinance of the Urban County Council of the Lexington-Fayette Urban County Government providing for the issuance of \$10,230,000 (subject to adjustment upward or downward by the amount of \$1,023,000) of its Lexington-Fayette Urban County Government General Obligation Bonds (stormwater improvements, neighborhood redevelopment, Bluegrass Aspendale Parkway, Veterans Park Fire Station and police car projects), Series 2006B for the purpose of providing funds necessary to pay the costs to acquire, construct and/or equip (a) stormwater improvements, (b) neighborhood redevelopment projects, (c) Bluegrass Aspendale Parkway, (d) Veterans Park Fire Station and (e) police cars; setting forth the terms and conditions upon which the Series 2006B Bonds are to be issued and outstanding; ordering and providing for the levy of an annual tax, to the extent necessary, in an amount sufficient to pay the interest on and principal of the Series 2006B Bonds; and providing for a public sale of the Series 2006B Bonds and the application of the proceeds thereof was on the docket for first reading.

Mr. Stinnett made a motion, seconded by Mr. McChord and passed by unanimous vote, to amend the ordinance to increase the amount of the bond issuance by \$175,000.00, from \$10,230,000.00 with an adjustment of \$1,023,000.00 to

\$10,405,000.00 with an adjustment of \$1,040,500.00, for additional vehicles and related equipment for the Div. of Police.

The ordinance was given first reading as amended and ordered placed on file two weeks for public inspection.

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An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,000.00 for the Sheriff's Dept. from Neighborhood Development funds for Graffiti Removal and Response Initiative, and appropriating and reappropriating funds, Schedule No. 242 was on the docket for first reading.

Upon motion of Mr. Farmer, seconded by Mr. Myers and passed by unanimous vote, the ordinance was amended to increase the amount of funding for the Fayette County Sheriff's Dept. Graffiti Removal and Response Initiative by \$580.00 from Neighborhood Development Funds and to substitute a corrected Schedule No. 242.

The ordinance was given first reading as amended and ordered placed on file two weeks for public inspection.

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Upon motion of Mr. Moloney, seconded by Mr. McChord and passed by unanimous vote, an Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$50,000.00 in the Div. of Streets, Roads, and Forestry from the Council Capital funds for repaving resurfacing Lynn Drive, and appropriating and re-appropriating funds, Schedule No. 255 was placed on the docket, given first reading and ordered placed on file two weeks for public inspection.

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Upon motion of Mr. Farmer, seconded by Mr. Myers and passed by unanimous vote, an Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for police cars, and appropriating and re-appropriating funds, Schedule No. 256 was placed on the docket, given first reading and ordered placed on file two weeks for public inspection.

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An Ordinance accepting the bid of Municipal Equipment, Inc., in the amount of \$307,302.00, for automated side loading refuse bodies, for the Div. of Fleet Services

and appropriating funds pursuant to Schedule No. 254 was on the docket for first reading.

Upon motion of Mr. Brown, seconded by Mr. Ellinger and passed by unanimous vote, the ordinance was removed from the docket because a budget amendment was not necessary and a resolution accepting the bid would be placed on the docket.

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An Ordinance creating Section 4-20 of the Code of Ordinances to require all quarantined dogs to be held at the Urban County Animal Shelter or in a licensed kennel and defining the term “quarantine” was on the docket for first reading.

Upon motion of Mr. Myers, seconded by Ms. Shafer and passed by unanimous vote, the ordinance was removed from the docket as the determination was made at the June 6, 2006 Work Session that more discussion was necessary.

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The following resolutions were given second reading and passed by the following vote:

Aye: Cegelka, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stevens, Stinnett, Brown ----- 13

Nay: ----- 0

A Resolution accepting the bid of Terex Utilities in the amount of \$118,741.00, for one (1) aerial bucket truck for the Div. of Fleet Services.

A Resolution accepting the bid of Central Indiana Truck Equipment Corp., in the amount of \$126,498.00, for one (1) split rear loader for the Div. of Fleet Services.

A Resolution accepting the bid of Ron Cooper Co. establishing a price contract for record keeping supplies, for the County Clerk’s Office.

A Resolution accepting the bids of Grogan’s Healthcare Supply, Inc., Tri-anim Health Services, Inc., and Emergency Medical Supply establishing price contracts for emergency medical supplies, for the Div. of Fire.

A Resolution accepting the bid of VeBridge establishing a price contract for document imaging provider, for the Div. of Revenue and Div. of Human Resources.

A Resolution rescinding Resolution No. 688-2005 relating to authorization of an Agreement for lump sum payment under the Tobacco Transition Assistance Program, and authorizing the Mayor to execute a Quota Cash Contract with JPMorgan Chase Bank, N.A., and any other documentation necessary, for lump sum payment under the Tobacco

Transition Assistance Program (TTAP) to the Urban County Government for its four tobacco quotas, in the estimated amount of \$77,910.00.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of temporary construction easement from Scott E. and Tiffany J. Perrine located at 2256 Kenwood Drive, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, and authorizing payment in the amount of \$180.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Larry R. and Rebecca L. Dudleson for property located at 2136 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Larry R. and Rebecca L. Dudleson for property located at 2140 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Robert E. Terry for property located at 2146 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from David B. and Mary M. Gray for property located at 2317 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Grace J. Snow for property located at 2329 Liberty Road, for the

Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and the accept a Deed conveying permanent sanitary sewer and temporary construction easements from Scotty McClay Hicks for property located at 2358 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of temporary construction easement from Sarah Parrish located at 2364 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, and authorizing payment in the amount of \$2,820.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Paul and Ruby Hamilton for property located at 2368 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from LVM Properties, LLC for property located at 2376 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Charles W. Logan for property located at 2416 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Wanda and Bob G. Vanlandingham for property located at 2432 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from James M. Mullikin, Jr. for property located at 2454 Liberty Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of temporary construction easement from Christopher Jones located at 613 Morgan Hills Drive, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, and authorizing payment in the amount of \$55.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of temporary construction easement from McLean Properties, Inc. and Wanda Lee McLean located at 1387 E. New Circle Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, and authorizing payment in the amount of \$3,650.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of temporary construction easement from Stanett R. and Cynthia A. Shelby located at 604 Republic Court, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, and authorizing payment in the amount of \$100.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of temporary construction easement from Richard Z. and Alma L. Hill located at 817 Ridgebrook Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, and authorizing payment in the amount of \$170.00 plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Larry M. and Amy S. Lewis for property located at 514 Wilderness Road, for the Wilderness Road/ Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction

easements from Betty Barnes McDonald, Delores Jean B. Laidlaw, Marcella B. Hayden, and Naomi B. Johnson for property located at 519 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Rose Mary and Darryl Griffith for property located at 520 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Bradley C. Lewis and Kevin C. Lewis for property located at 521 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Lucy Woolums for property located at 522 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Hazel Gillispie for property located at 523 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from David and Ann Swallom for property located at 525 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of temporary construction easement from Tammy J. Kidd located at 537

Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, and authorizing payment in the amount of \$7,750.00 plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Jackie G. and Glen Cooke for property located at 545 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Ben L. Woolums, Jr. and Lucy Woolums for property located at 546 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Marjorie R. Wright for property located at 550 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from William T. and Mary Grace Pickles for property located at 556 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Ora M. Geers for property located at 562 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Billy Thompson for property located at 570 Wilderness Road, for the

Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Danny W. and Deborah A. Conrad for property located at 578 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Daryl R. and Kim V. Hurst for property located at 594 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Daryl and Kim Hurst for property located at 597 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Daryl and Kim Hurst for property located at 599 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Daryl and Kim Hurst for property located at 607 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Board of Trustees of the Pleasant Ridge Baptist Church, Inc., for property

located at 612 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of temporary construction easement from Mary Louise Ritchey located at 616 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, and authorizing payment in the amount of \$150.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Board of Trustees of the Pleasant Ridge Baptist Church, Inc., for property located at 620 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Board of Trustees of the Pleasant Ridge Baptist Church, Inc., for property located at 624 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Raymond and Willa McKinney for property located at 732 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Clarence W. and Mary E. Stewart for property located at 741 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Goble R. and Bonnie S. Profitt for property located at 743 Wilderness

Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Matt and Debbie Sword for property located at 749 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from T.L.C. Properties, Inc. for property located at 750 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Claude A. Newby for property located at 751 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Rebecca L. Haynes for property located at 754 Wilderness Road, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from David Freeman for property located at 695 Woodward Lane, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of temporary construction easement from Earl and Phyllis Sheets located at 701 Woodward Lane, for the Wilderness Road/Woodward Lane Sanitary Sewer Project,

and authorizing payment in the amount of \$2,950.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Ralph Purvis for property located at 705 Woodward Lane, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Helen C. Williams for property located at 709 Woodward Lane, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from J. W. Bailey, Jr. and Sherry L. Bailey for property located at 713 Woodward Lane, for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution approving a Proposal from Moore Stephens Potter, LLP, for preparation of financial statements for the 2005 Sheriff's Tax Settlement, at a cost not to exceed \$11,790.

A Resolution authorizing the Mayor to execute an Agreement with the Board of Education of Fayette County, Ky., for occupational license tax services.

A Resolution authorizing the Mayor to execute a Memorandum of Understanding with the Carnegie Center for Literacy and Learning, to serve as the participating agency in order to obtain and utilize the resources of the corporation for National Service/Americorps VISTA Program, at a cost not to exceed \$250.00 as a required contribution to the Carnegie Center VISTA Network, a consortium of local non-profit groups desiring to advance literacy in Lexington.

A Resolution authorizing the Mayor to execute an Amendment to the Claims Payment Agreement with Humana Insurance Co. for employee health care insurance, to add a new stop loss coverage feature, at no cost to the Government.

A Resolution authorizing the Mayor to execute Change Order No. 4 to the Contract with Woodford Builders, Inc., for Recycling Center Expansion Project, increasing the contract price by the sum of \$48,104.66 from \$2,235,963.95 to \$2,284,068.61.

A Resolution ratifying the probationary civil service appointments of: Donna Byrum, Engineering Technician, Grade 111N, \$15.242 hourly, in the Div. of Engineering, effective May 29, 2006; Arthur Craig, Jr., Engineering Technician, Grade 111N, \$19.933 hourly, in the Div. of Engineering, effective May 15, 2006; Richard Hicks, Equipment Operator Sr., Grade 109N, \$17.348 hourly, in the Div. of Solid Waste, effective May 29, 2006; Bernard Menshouse, Engineering Technician, Grade 111N, \$18.860 hourly, in the Div. of Engineering, effective May 29, 2006; Kristie Snead, Staff Assistant Sr., Grade 108N, \$13.492 hourly, in the Div. of Parks, effective May 15, 2006; Richard Boone, Program Specialist, Grade 112E, \$1,489.92 bi-weekly, in the Div. of Solid Waste, effective May 29, 2006; Darrell Boone, Traffic Signal Technician Master, Grade 114N, \$22.916 hourly, in the Div. of Traffic Engineering, effective May 15, 2006; Joseph Markey, Traffic Signal Technician Master, Grade 114N, \$23.845 hourly, in the Div. of Traffic Engineering, effective May 15, 2006; Milton Moreland, GIS Specialist, Grade 114N, \$17.187 hourly, in the Div. of Engineering, effective May 22, 2006; Amir Sadr, Computer Systems Manager Sr., Grade 120E, \$2,764.32 bi-weekly, in the Div. of Computer Services, effective May 22, 2006; ratifying the permanent civil service appointments of: Margaret Alexander, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective May 14, 2006; Roger Hamperian, Records Management Analyst Sr., Grade 113N, in the Office of the Council Clerk, effective April 30, 2006; William Tanner, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective May 14, 2006; James Curry, Public Service Worker, Grade 106N, in the Div. of Parks, effective May 17, 2006; Christian Harvey, Public Service Worker, Grade 106N, in the Div. of Parks, effective May 17, 2006; Laurie Carpenter, Staff Assistant, Grade 107N, in the Div. of Building Inspection, effective May 21, 2006; Laura Olrich, Administrative Specialist, Grade 110N, in the Div. of Parks, effective May 28, 2006; Sheila Lewis-Collins, Engineering Technician, Grade 111N, in the Div. of Engineering, effective May 14, 2006; Arthur Allen, Brian Bumpus, Cheryl Crawford, Johnathan Dyer, Jason Eason, Robert Garrett, Marie Jude, James Kelley, Frederick Mager, Tanya Newcomb, Cassandra Roberts, David Southworth and Dwayne Tyree, Community Corrections

Officer, Grade 110N, in the Div. of Community Corrections, effective May 14, 2006; Richard Thomas, Public Service Worker, Grade 106N, in the Div. of Solid Waste, effective February 8, 2006; Joshua Potter, Equipment Operator Sr., Grade 109N, in the Div. of Solid Waste, effective April 17, 2006; William Mabson, Equipment Operator Sr., Grade 109N, in the Div. of Solid Waste, effective April 3, 2006; approving leave of absence for: Michael Kirkland, Public Service Worker Sr., Grade 107N, in the Div. of Building Maintenance and Construction; requests a 90 day Council approved leave without pay from April 18, 2006 through July 16, 2006; Olivia Lamarr, Assistant Food Service Supervisor, Grade 109N, in the Div. of Family Services, requests a 90 day Council approved leave without pay from April 18, 2006 through July 22, 2006; Tina Powell, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, requests a 29 day Council approved leave without pay from April 29, 2006 through May 27, 2006; approving the unclassified civil service appointments of: Beverly Benton, Social Worker Sr., Grade 113E, \$1,630.16 bi-weekly, in the Div. of Adult Services, effective May 15, 2006; Shannon Taylor, Probation Officer, Grade 110N, \$12.457 hourly, in the Div. of Community Corrections, effective May 29, 2006; approving the voluntary demotion of: Phillina Wingate, Community Corrections Officer, Grade 110N, \$12.220 hourly in the Div. of Community Corrections to Staff Assistant Sr., Grade 108N, \$10.459 hourly in the Div. of Parks, effective May 29, 2006.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Clean Harbors, for the 2006 Spring Clean Household Hazardous Waste Event, increasing the contract price by the sum of \$19,861.00 from \$100,000.00 to \$119,861.00.

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The following resolutions were given first reading. Upon motion of Mr. Moloney and seconded by Mr. Stinnett, the rules were suspended by unanimous vote. The resolutions were given second reading and passed by the following vote:

Aye: Ellinger, Farmer, Gorton, Lane, McChord, Moloney,
 Myers, Scanlon, Shafer, Stevens, Stinnett, Brown ----- 12

Nay: ----- 0
 (Mr. Cegelka was absent when the vote was taken.)

A Resolution accepting the bid of Bluegrass Contracting Corp., in the amount of \$1,052,532.52, for construction of Meadows-Northland-Arlington Neighborhood Improvement Project Phase 2C.

A Resolution accepting the bid of Bluegrass Stream, LLC, in the amount of \$52,231.00, for Roland Avenue Stream Rehabilitation Project.

A Resolution accepting the bid of Timberland Landscape, in the amount of \$72,000.00 for Versailles Road landscape plan materials and installation unit price contract.

A Resolution accepting the bid of Herb Geddes Fence Co., Inc., in the amount of \$21,475.00, for chain link fence for Versailles Road, for the Office of the Urban County Council.

A Resolution accepting the bid of NAC Heavy Highway, Inc., in the amount of \$89,000.00, for Town Branch Wastewater Treatment Plant screw pump station odor improvements, for the Div. of Sanitary Sewers.

A Resolution accepting the bid of Richards Electric Supply, in the amount of \$46,930.00, for FPE breaker replacement, for the Div. of Sanitary Sewers.

A Resolution accepting the bid of L-M Asphalt Partners, Ltd. d/b/a ATS Construction establishing a price contract for 2006 resurfacing of city streets - Round I Bond Project, for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of Schaefer Properties, LLC, in the amount of \$248,512.00, for Marlboro Park Community Building.

A Resolution recognizing and thanking Chief of Police Anthany Beatty for his years of service to the community and encouraging and requesting him to continue his service as the Chief of Police and requesting that the Mayor take all reasonable and necessary steps to insure his continued service as the Chief of Police.

A Resolution authorizing the Div. of Traffic Engineering to install a trial barricade-type traffic control device at the stub end of Fair Oaks Drive, the effectiveness of which is to be reviewed by the division approximately one year after its installation.

A Resolution authorizing the Mayor to execute an Engineering Services Agreement with Jordon, Jones and Goulding, Inc., for traffic signal timing plan services, at a cost not to exceed \$60,520.00 (FY 2006).

A Resolution authorizing the Mayor to execute Agreements with Fayette County Project Graduation, Inc. (\$450.00), the Southland Association, Inc. (\$450.00), Aylesford Place Association, Inc. (\$1,000.00), the Friends of McConnell Springs, Inc. (\$950.00),

Fayette County School District Finance Corp. (\$500.00), the Fayette Education Foundation, Inc. (\$500.00), Fayette County Project Graduation, Inc. (\$1,325.00), Blue Grass Community Foundation, Inc. (\$1,400.00), Fayette County School District Finances Corp. (\$775.00), Fayette County School District Finance Corp. (\$500.00), Fayette Education Foundation, Inc. (\$100.00) and P K Finley Family Life Center, Inc. (\$500.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor to execute an Extension Deposit Agreement and Supplemental Memorandum with Ky.-American Water Co., for the installation of pipe to serve Fire Station No. 22 at 4493 Clearwater Way, at a cost not to exceed \$41,507.00.

A Resolution authorizing the Mayor to execute an Agreement with Commonwealth of Ky. Transportation Cabinet, Dept. of Intergovernmental Programs, for Municipal Road Aid Bond funding (Round 1) to reimburse the Urban County Government up to \$3,319,401.00 for approved street improvements.

A Resolution authorizing the Mayor to execute an Agreement with the Board of Education of Fayette County, Ky., for construction of a Community School in the Bluegrass-Aspendale Area, at a cost not to exceed \$2,900,000.00.

A Resolution authorizing the Mayor to execute Agreements with Joyland Neighborhood Association, Inc. (\$500.00), Neighbors of Bryan Station, Inc. (\$500.00), Fayette County 4-H Council, Inc. (\$2,800.00), CASA Project of Lexington Advisory Board, Inc. (\$800.00), Fayette County 4-H Council, Inc. (\$5,000.00), Chevy Chase Neighborhood Association, Inc. (\$250.00), Lexington Children's Drum Choir Corp. (\$250.00), Blue Grass Trust for Historic Preservation, Inc. (\$600.00) and Salvation Army (\$1,000.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor to execute a Settlement Agreement and Release with the Mason & Hanger Group, Inc., and authorizing the Dept. of Law to execute any documents necessary to effectuate the settlement of Civil Action No. 04-CI-3161, at a cost of \$8,584.00 to the Urban County Government.

A Resolution ratifying the probationary civil service appointments of: Gary Burrows, Public Service Worker, Grade 106N, \$14.203 hourly, in the Div. of Parks, effective May 29, 2006, Jonathan Sutton, Property & Evidence Technician, Grade 111N, \$18.987 hourly, in the Div. of Police, effective June 5, 2006, Kenneth Demus, Equipment Operator Sr., Grade 109N, \$16.477 hourly, in the Div. of Solid Waste, effective June 12, 2006, Gene Barrell, Equipment Operator Sr., Grade 109N, \$15.577 hourly, in the Div. of Streets, Roads and Forestry, effective June 12, 2006, Meiling Williams-Reese, Police Analyst, Grade 111N, \$14.863 hourly, in the Div. of Police, effective June 5, 2006; ratifying the permanent civil service appointments of: Cristeta Cortez, Associate Municipal Engineer, Grade 115E, in the Div. of Engineering, effective May 28, 2006, Sara Morris, Communications Officer Sr., Grade 113N, in the Div. of Police, effective March 16, 2006, Kelly Hunter, Environmental Inspector, Grade 113N, in the Div. of Environmental and Emergency Management, effective June 12, 2006, Stephen Harrod, Building Inspector, Grade 113N, in the Div. of Building Inspection, effective June 12, 2006, Mandi Bartley, Administrative Specialist Sr., Grade 112N, in the Div. of Computer Services, effective May 14, 2006, Cheryl Lynne Cross, Staff Assistant Sr., Grade 108N, in the Div. of Computer Services, effective June 12, 2006, Charles Woosley, Security Officer, Grade 103N, in the Dept. of General Services, effective May 29, 2006; ratifying the probationary sworn appointments of: Clifford Boyd, Fire Captain, Grade 316N, \$19.498 hourly, in the Div. of Fire, effective April 3, 2006, Maria Polenzani, Matthew Galati, Ryan Hogsten, Stanley Cole, Mark Isaacs, Fire Lieutenant, Grade 315N, \$14.749 hourly, in the Div. of Fire, effective April 3, 2006, Shawna Blevins, Nicholas Bodkin, William Chaffins, Robert Crovo, Sean Davenport, Brenda Finley, Robert Forehand, Brett Gavin, Travis Gilliam, Matthew Groves, Daniel Gurecky, Frank Handshoe, Robert Hannan, William Keebortz, Barry King, James Klingshim, Seth Lockard, Matt Logsdon, Curtis Manning, David Moore, Andrew Morrow, Kristofer Nelson, Jonathan Ott, Robert Perkins, William Rogers, Christopher Rudd, Zachary Ryer, Jordan Saas, Donald Sexton III, Adam Sorrell, Jason Stowe, Joshua Thiel, Brandon Voet, Christopher Warren, John-Claude Whitnel, Brian Wilbur, Firefighter, Grade 311N, \$14.240 hourly, in the Div. of Fire, effective June 26, 2006; approving leave of absence for: Davita Gatewood, Client Assessment Counselor, Grade 112E, in

the Mayor's Training Center, requests a 26 day Council approved leave without pay from June 1, 2006 through June 26, 2006, Wanda Webb, Staff Assistant Sr., Grade 108N, in the Div. of Engineering, requests a 90 day Council approved leave without pay from May 18, 2006 through July 13, 2006; approving the unclassified civil service appointment of: Melynda Milburn, Staff to Council II, Grade 000E, in the Office of the Urban County Council, \$1,588.48 bi-weekly, effective May 30, 2006.

A Resolution authorizing the Mayor to execute an Expansion Area Development Exaction Agreement with North Forty Properties, LLC pursuant to Article 23 of the Zoning Ordinance setting out the type and cost of system improvements constructed by the developer in Expansion Areas 2A and 2B, the amount of exaction credits earned, use for the exaction credits and amount of repayment to the developer from the development exaction fund.

A Resolution authorizing the Mayor to execute Masterson Station Park Equestrian Program Horse Loaner Agreements with various persons for the loan of horses for use in the Parks and Recreation Equestrian Programs, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute Contracts with Andover Forest Homeowners Association, Inc. (\$5,000.00), Beaumont Park Neighborhood Association (\$5,026.00), Chilesburg Court Neighborhood Association (\$903.24), Eastland Parkway Neighborhood Association, Inc. (\$1,170.00), Gleneagles Owners Association (\$5,000.00), Lakeshore Village (\$3,750.00), and Palomar Hills Community Association, Inc. (\$4,150.00), for carrying out various neighborhood activities and improvements, at a cost not to exceed \$25,000.00.

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A Resolution authorizing the Mayor to make a donation of up to twenty (20) window air conditioning units to the Community Action Summer Cooling Program was given first reading.

Upon motion of Mr. Brown and seconded by Mr. Stinnett, the rules were suspended by majority vote. The resolution was given second reading and passed by

the following vote:

Aye: Ellinger, Farmer, Gorton, Lane, McChord, Moloney,
Myers, Scanlon, Shafer, Stevens, Stinnett, Brown ----- 12

Nay: ----- 0
(Mr. Cegelka was absent when the vote was taken.)

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A Resolution authorizing the Mayor to execute Agreements with South Lexington Babe Ruth League, Inc. (\$550.00), Lafayette High School Women’s Basketball, Inc. (\$500.00), Pine Meadows-Cardinal Hill-Mason Headley Neighborhood Association, Inc. (\$800.00), Port Royal Neighborhood Association, Inc. (\$1,000.00), Copperfield Neighborhood Association, Inc. (\$1,000.00), Wyndham Downs Neighborhood Association, Inc. (\$700.00), Park Place Neighborhood Association, Inc. (\$2,425.00), Southern Heights Neighborhood Association, Inc. (\$600.00), Beaumont Park Neighborhood Association, Inc. (\$750.00), Athens Elementary PTA, Inc. (\$7,575.00), Meadowthorpe Neighborhood Association, Inc. (\$1,500.00), African American Forum, Inc. (\$500.00), Urban League Of Lexington, Fayette County, Inc. (\$500.00), Missionary Baptist Ministerial Fellowship Org, Inc., (\$500.00), Winburn Neighborhood Association, Inc. (\$500.00), Georgetown Street Area Neighborhood Association, Inc. (\$500.00), Masterson Station Neighborhood Association, Inc. (\$500.00), Joyland Neighborhood Association, Inc. (\$250.00), YMCA of Central Kentucky, Inc. (\$250.00), Ky. State University National Alumni Association, Inc. (\$600.00), Hope Center, Inc. (\$150.00), YMCA of Central Kentucky, Inc. (\$150.00), The Howe Charities, Inc. (\$350.00), and Town Branch Trail, Inc. (\$350.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated was on the docket for first reading.

Upon motion of Mr. Brown, seconded by Mr. Myers and passed by unanimous vote, the resolution was amended to increase the amount of Neighborhood Development Funds to the The Howe Charities, Inc. from \$350.00 to \$850.00.

The resolution was given first reading as amended. Upon motion of Mr. Moloney and seconded by Mr. Stinnett, the rules were suspended by unanimous vote. The

resolution was given second reading and passed by the following vote:

Aye: Ellinger, Farmer, Gorton, Lane, McChord, Moloney,
Myers, Scanlon, Shafer, Stevens, Stinnett, Brown ----- 12

Nay: ----- 0
(Mr. Cegelka was absent when the vote was taken.)

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The following resolutions were given first reading and ordered placed on file two weeks for public inspection.

A Resolution accepting the bid of Radio Communication System, Inc. d/b/a RCS Communications establishing a price contract for maintenance of communication system, for the Div. of Police.

A Resolution accepting the bid of Ky. Irrigation Co. LLC, in the amount of \$21,610.00, for installation of Kearney Hills well pump.

A Resolution accepting the bid of Congleton-Hacker Co., in the amount of \$21,274.50, for renovation of Bell House Terrace.

A Resolution accepting the bid of Moores Trucking, establishing a price contract for sand for golf courses, for the Div. of Parks.

A Resolution accepting the bid of Aramsco, Inc. establishing a price contract for decontamination patient kits, for the Div. of Environmental and Emergency Management.

A Resolution accepting the bid of Central Seal Co. establishing a price contract for re-stripping Man O' War Blvd.

A Resolution accepting the bids of Color & Supply Co. and Sherwin-Williams establishing price contracts for paint supplies, for the Div. of Building Maintenance and Construction.

A Resolution accepting the bid of Southern Drywall Supply establishing a price contract for drywall materials, for the Div. of Building Maintenance and Construction.

A Resolution accepting the bids of Schiller Hardware and Brunswick Door Co. establishing price contracts for steel hardware for doors, for the Div. of Building Maintenance and Construction.

A Resolution accepting the bid of Aramark Correctional Services, Inc., establishing a price contract for food services, for the Div. of Community Corrections.

A Resolution accepting the bids of Traffic Parts, Inc., Path Master, Inc., Baldwin & Sours, Inc., Southern Mfg., and Traffic Control Products, Inc. establishing price contracts for traffic signal and control equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Randle-Davies Construction Co., in the amount of \$415,535.30, for construction of Brighton East Rail Trail Phase I, for the Div. of Engineering.

A Resolution accepting the bid of SimplexGrinnell, in the amount of \$13,350.00 for sprinkler system repairs.

A Resolution accepting the bids of Jack Parker Batteries, Alton Blakely Ford, Lexington Auto Spring Co., Freedom Dodge-Chrysler-Jeep, Nissan on Nicholasville, Nandino Industrial Electric, Inc., Truck Parts & Equipment, Jack Kain Ford, Power Train Service of Ky., Fleet Pride, Inc., Ky. Motor Service of Lexington, O'Reilly Auto Parts, Rod Hatfield Chevrolet, Republic Diesel, Inc., NAPA Auto Parts, Kron International Trucks, Inc., Car Quest Auto Parts, Mike Wilson Chevrolet and Advanced Auto Parts establishing price contracts for automotive and truck parts, for the Div. of Fleet Services.

A Resolution accepting the bid of GKT Enterprises, LLC establishing a price contract for asphalt speed humps, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Nexum, Inc., in the amount of \$31,191.50, for computer load balancer, for the Div. of Computer Services.

A Resolution authorizing the Mayor to accept a donation of \$55.00 worth of bus tokens from the Martha Circle of South Elkhorn Christian Church, for the Div. of Adult Services to assist clients with transportation needs.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the U.S. Dept. of Justice/Bureau of Justice Assistance and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$250,000.00 Federal funds, and are for the FY2007 Justice and Mental Health Collaboration Program.

A Resolution authorizing the Mayor to execute a Memorandum of Agreement with the Ky. Environmental and Public Protection Cabinet, for extension of the Gainesway Retention Basin Retrofit Project through June 30, 2008, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Memorandum of Agreement with the Ky. Environmental and Public Protection Cabinet, for extension of the McConnell Springs Stormwater Quality Wetland Pond Project through June 30, 2008, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Memorandum of Understanding with the Center for Women, Children and Families to fulfill the Community and Support Services (CSS) requirements of the Bluegrass-Aspendale Hope VI Revitalization Grant, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Memorandum of Understanding with United Way of the Bluegrass, Inc., for the coordination of 2-1-1 and 9-1-1 telephone operations, at no cost to the Lexington-Fayette Urban County Government.

A Resolution authorizing the Mayor to execute an Amended Memorandum of Understanding with Federal Prison Industries, Inc. (d/b/a Unicor), for recycling of electronic waste, decreasing the costs for recycling general electronics and televisions and monitors, at a cost not to exceed \$2,500.00.

A Resolution authorizing the Mayor to execute an Amendment to Lease Agreement with Lexington-Fayette Animal Care and Control, LLC for the installation of mini DVD recorders in animal control vehicles.

A Resolution authorizing the Mayor to execute Change Order No. 3 to the Contract with CMTA Engineering Consultants, for the Government Center HVAC Renovation Project, increasing the contract price by the sum of \$12,878.75 (FY 2006) from \$341,000.00 to \$353,878.75.

A Resolution authorizing the Mayor to accept a donation of a LexMark E120N printer from LexMark, for use at the Cardinal Valley Center.

A Resolution authorizing the Mayor to execute a Statement of Compliance with Commonwealth of Ky. Transportation Cabinet, for bridge posting requirements.

A Resolution authorizing the Mayor to execute a Master Agreement with the Ky. Dept. of Education, for extension of the performance period of the 21st Century Communication Learning Center Program through September 30, 2006, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Customized Training Services Agreement with L-3 Communications, Integrated Systems, Joint Operations Group, for skills training for career development opportunities for new employees and upgrade training in aviation maintenance for current employees, at a cost not to exceed \$19,312.50.

A Resolution authorizing the Mayor to execute a Lease Renewal Agreement with Commonwealth of Ky. Transportation Cabinet, for lease of 565 square feet of office space and four parking spaces at 162 East Main Street, to generate revenue of \$8,092.50 annually to the Urban County Government.

A Resolution authorizing the Mayor to execute a Lease Renewal Agreement with Commonwealth of Ky., Dept. of State Police, for lease of 1,341 square feet of office space and five parking spaces at 162 East Main Street, to generate revenue of \$17,860.50 annually to the Urban County Government.

A Resolution authorizing the Mayor to execute Amendments to Agreements with the Ky. Transportation Cabinet, for extension of two fiber optic installation programs, the Pedestrian and Bikeway Coordinator Project, the Bicycle Lane Re-striping and Feasibility Study, the West Hickman Trail Project, the Alumni Drive Turn Lane Project, three ITS Traffic Control Projects, two traffic signal installation projects, the Loudon Avenue Project, and the Regional Bicycle and Pedestrian Plan, through June 30, 2007, at no cost to the Urban County Government.

A Resolution amending the bid of Wysong Enterprises, Inc. for repair and upgrade of the police helicopter, as accepted by Resolution No. 691-2005, to add a fuel pump upgrade, the installation of mapping hardware, and an igniter plug, for the Div. of Police, increasing the contract price by the sum of \$8,935.00 from \$213,813.00 to \$222,748.00.

A Resolution of the Urban County Council directing the administration to eliminate the budgeting method of planned personnel lapse and to adopt the budgeting method of actual personnel cost and directing the administration to present the calculation methods for actual personnel costs for use in the FY 08 budget to the Urban County Council.

A Resolution amending Resolution No. 273-2006, to decrease the allocation of funding to the Cardinal Valley Elementary PTA from \$550.00 to \$500.00, the Gainesway

Community Empowerment Center Volunteer Board, Inc. from \$200.00 to \$50.00 and the Lexington Shakespeare Festival, Inc. from \$250.00 to \$200.00.

A Resolution amending Resolution No. 175-2006, as amended by Resolution No. 261-2006, to decrease the allocation of funding to Downtown Lexington Corporation Foundation from \$778.00 to \$500.00.

A Resolution authorizing the Mayor to execute an Option and Ground Lease Agreement with Alaskan Native Broadband 1 License, LLC, for ground equipment space in Veteran's Park associated with collocation on a tower to be constructed by Powertel/Memphis, Inc., at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute an Amendment to the Agreement approved by Resolution No. 112-2006 with Powertel/Memphis, Inc., for clarification of the lease payment schedule, at no cost to the Urban County Government.

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Upon motion of Mr. Brown, seconded by Mr. Ellinger and passed by unanimous vote, a Resolution accepting the bid of Municipal Equipment, Inc. in the amount of \$307,302.00 for automated side loading refuse bodies, for the Division of Fleet Services was placed on the docket, given first reading and ordered placed on file two weeks for public inspection.

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Upon motion of Mr. Farmer, seconded by Mr. McChord and passed by unanimous vote, a Resolution authorizing the Mayor to execute Agreements with Blue Grass Trust for Historic Preservation (\$580.00), Lansdowne Shadelawn East Neighborhood Association (\$500.00) and Lexington Southeastern Little League (\$500.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated was placed on the docket, given first reading and ordered placed on file two weeks for public inspection.

* * *
Upon motion of Mr. Stinnett, seconded by Mr. Moloney and passed by unanimous vote, a Resolution authorizing the Mayor to execute the Agreements with Deep Springs Elementary, PTA (\$5,000.00), Athens Elementary PTA, Inc. (\$2,500.00), Northern Babe Ruth League, Inc. (\$6,000.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated was placed on the docket, given first

reading and ordered placed on file two weeks for public inspection.

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Upon motion of Dr. Stevens, seconded by Mr. Stinnett and passed by unanimous vote, the following communications from the Mayor were approved and are as follows: (1) recommending the reappointment of Bernard Lovely to the Airport Board with a term to expire 7-15-2010. Also, recommending the appointment of John Davis to the Airport Board with a term to expire 7-15-2010 and (2) recommending the appointments of Kenton Ball and Elizabeth Zachem Woodward to the Parking Authority Board with terms to expire 6-1-2010. Also, recommending the appointment of Leonard Cox to the Parking Authority Board with a term to expire 6-1-2009. Also, recommending the appointment of James H. Frazier III to the Parking Authority Board with a term to expire 6-1-2008. Also, recommending the appointment of Cordelia "Dee Dee" Harbut to the Parking Authority Board with a term to expire 6-1-2007.

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The following communications were received from the Mayor for information only: (1) Resignation of Mary Stanfield, Communications Officer Sr., Grade 113N, in the Div. of Police, effective May 29, 2006; (2) Resignation of Jason Judd, Police Trainee, Grade 311N, in the Div. of Police, effective June 1, 2006; (3) Resignation of Tina Powell, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 2, 2006; (4) Resignation of Delsie Stevens, Skilled Trades Worker Sr., Grade 112N, in the Div. of Parks, effective June 2, 2006; (5) Termination of Probationary Appointment of Willie Freeman, Public Service Worker Sr., Grade 107N, in the Div. of Streets, Roads & Forestry, effective June 2, 2006 and (6) Transfer of Ada Jennings, Administrative Specialist, Grade 110N, \$18.338, from the Div. of Human Resources to the Dept. of General Services, effective June 6, 2006.

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The report from the Div. of Building Inspection for the month of April, 2006 was received and ordered filed.

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Mr. Farmer announced that the meeting of the Council's Committee of the Whole was being moved from 5:00 p.m. to 1:30 p.m. on Tuesday, June 13th.

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Mr. Bernard McCarthy, 515 Harry Street, stated his objections to the resolution that was on the docket for a trial barricade-type traffic control device on Fair Oaks

Drive., and requested information on an ordinance that dealt with the reversible lanes on Nicholasville Road.

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The Council adjourned at 8:45 p.m.

Clerk of the Urban County Council